

**Brandon Select Board Meeting  
January 11, 2016**

**NOTE: These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.**

**In Attendance:** Doug Bailey, Seth Hopkins, Ethan Swift, Devon Fuller, Tracy Wyman

**Also in Attendance:** Dave Atherton, Wayne Rausenberger, Richard Baker, Anna Scheck, Lee Kahrs, Steve Bissette, Arlen Bloodworth, Janet Coolidge, Chris Brickell, Dick Kirby, Jackie Savela, Jeff Guevin

**1. Call to order**

The meeting was called to order by Doug Bailey - Chair at 7:03PM.

**a) Agenda Adoption – Motion** by Tracy Wyman/Devon Fuller to adopt the agenda as amended. **The motion passed unanimously.**

Addition of Item 4a – Appointment to Historic Preservation Committee

Addition of a second Executive Session pursuant to Title 1, Section 313(a)(3) of the Vermont Statutes with the first session to include the Chief of Police and Town Manager and the second session would not include any additional people.

**2. Consent Agenda**

**a) Select Board Meeting Minutes – December 28, 2015**

**Motion** by Tracy Wyman/Ethan Swift to approve the minutes of the December 28, 2015 Select Board meeting. **The motion passed with two abstentions – Devon Fuller and Seth Hopkins.**

**3. Town Manager's Report**

Dave Atherton reported the subgrant has been received for the Newton Road buyout which will enable to the Town to move forward with the acquisition and demolition. The paperwork had been received from FEMA to complete the final step in the closeouts for Green Park and Kenney Park and they have been reviewed and sent back to Mary Andes at the state. The deadline for making payment arrangements for delinquent taxes/sewer bills was January 7<sup>th</sup> and those that have not made payment arrangements will be forwarded to an attorney. Work is complete on the FY16/17 budget and is ready for the Select Board's review and approval. With regard to activities in the Brandon Rec: the Rec is collaborating with the parents of the Wrestling Booster Club and OV to provide a Youth Wrestling program, ballet classes will begin on January 16<sup>th</sup> thanks to the collaboration with Pilar Pilates and Middlebury College Dance program, cross

country skiing is back at Blueberry Hill and the Blueberry Hill Inn has offered to host the Brandon-Blueberry Hill Ski Club. There will be an informational meeting regarding the Ski Club on January 16<sup>th</sup> at Neshobe School. The U6 – U8 basketball will be held at Neshobe School. If anyone is interested in assisting with the February 6<sup>th</sup> Winter Carnival, they are asked to contact Stacy Doucette of the Brandon Motor Lodge at 247-9594. There is a Bruins Hockey Trip scheduled for April 9<sup>th</sup> and the cost is \$150.00 that includes the Premier Bus fee and ticket to the game. There are 10 Flagship Cinema booklets left at a cost of \$25.00 each that includes 2 movie passes and 10 BOGO free tickets. The Lego Club will begin the week of January 24<sup>th</sup>; the 3<sup>rd</sup> and 4<sup>th</sup> grade will meet on January 26<sup>th</sup> and the 5<sup>th</sup> and 6<sup>th</sup> grade will meet on January 28<sup>th</sup>.

Ethan Swift asked if there is an anticipated timeframe for the buyout on Newton Road. Dave Atherton advised the subgrant was just received Friday and it is not currently known when the buyout will be final, as someone will have to assess for demolition and there may be some issues with it being in the river. Mr. Swift stated similar to 114 Wheeler Road, the parcel becomes town owned and there have been conversations that people like to access the river for fishing and he questioned if there has been consideration in looking into an access grant. Dave Atherton stated there is potential for gifting it to the state for an access and there can be discussions with the Fish & Wildlife Department for possible uses. Richard Baker questioned if the 1856 stack would remain and Mr. Atherton noted currently that is the plan.

Devon Fuller questioned the status of the tax sales. Mr. Atherton advised there have not been any sent to the attorney at this point. Anna Scheck advised she is working on the list to remove the accounts that have made agreements and there will be more information available by the next meeting. It was decided that everyone that had a delinquency would receive a letter, which made the list quite lengthy.

Doug Bailey stated Mr. Bisette had asked about the trucks at the wastewater department during the last meeting. Dave Atherton reported these were the trucks that are used for hauling sludge to Rutland.

Dave Atherton stated there had also been discussion about electronic recycling at the last meeting. The Rutland County Solid Waste on Gleason Road takes most electronics at no charge. Seth Hopkins questioned why the local transfer station no longer takes these items and Mr. Atherton advised that the electronics get picked up by another company, however, they are no longer picking up. The transfer station has been contacted by the state because the other company has not picked up in several months. Ethan Swift stated if these items are in the contract, it will have to be revisited. Mr. Atherton will discuss this with the transfer station, as it was thought that this was more of a courtesy and not a mandate by the state. Wayne Rausenberger suggested the Town Manager also discuss the recycling sorting with the transfer station.

#### **4. Comments for Items not on the Agenda**

Richard Baker stated Susan Schreiber of the Rutland Region Transportation Council has started a monthly meeting of the road crews and there was a recent meeting held in Brandon. There were 64 people in attendance and a presentation was provided by VLCT and the VOSHA person who checks the garages. Mr. Baker stated it was an excellent meeting and expressed his thanks to the Town for the organized meeting.

##### ***a. Historic Preservation Appointment***

The Town has received a letter from Lance Mead expressing interest in serving on the Historic Preservation Committee.

**Motion** by Seth Hopkins/Tracy Wyman to appoint Lance Mead to the Historic Preservation Committee for a term ending June 30, 2018. **The motion passed unanimously.**

#### **5. Bond**

Dave Atherton provided information regarding amortization for 10 or 20 years for a possible bond. At the last budget meeting, there was discussion of the amount of projects in Brandon that have to be completed. One of the issues is that there was no match money budgeted for grants when they were received. There was consideration of doing a bond vote for the overflow culvert and the matches for Segment 6 and Bridge 114. Mr. Atherton received revised numbers from DuBois and King for the local share cost for the overflow culvert. There will be discussion during the Sewer Commissioners' meeting regarding the bond options for the projects for that department. If there is a bond vote in March, the payment would start this summer. The first year would be interest only and would be about \$17,000.00. This figure was included in the budget to determine what the budget increase would be. The budget increase, including the bond would be 2.11%. There could also be consideration if the option tax goes through to use part of those funds for a partial bond repayment. Devon Fuller stated those funds could potentially be used to pay off the bond sooner, but it would likely be wise to look at a 20-year bond. Mr. Bailey was in agreement with Mr. Fuller, noting a 10-year bond would have too high of a payment. Mr. Atherton stated there are many projects that need to be caught up because the state could request the grant monies back if they are not completed. Mr. Bailey agreed with the projects proposed for the bond, as they will be items that will not have to be done again in the near future. He would not want to bond for paving. Mr. Atherton has spoken with Paul Giuliani, a counsel for bonding, and he will provide proposals on what will be required to do next. There will be hearings required and it could be included in the March vote. Ethan Swift stated the wastewater bond is more time sensitive but there could be a match for that bond. Mr. Atherton suggested doing the vote for both bonds at the same time. He stated the budget is going up minimally to do some major projects and if there is a positive budget vote, it would take care of the bond as well.

**Motion** by Seth Hopkins/Devon Fuller to move forward in pursuing a 20-year bond for the Overflow Culvert Project, Segment 6 match and Bridge 114 match in the amount of \$816,430.16 to prepare to present to the voters on March 1<sup>st</sup>.

The breakdown of the total proposed bond is \$487,430.16 for the Overflow Culvert Project, \$245,000.00 for the Segment 6 match and \$84,000.00 for the Bridge 114 match. Dave Atherton advised the total cost for the Overflow Culvert is \$1.9 million. The estimates for the matches for Segment 6 and Bridge 114 were based on the expenditures and the underground utilities increase. Richard Baker stated this is not an increase in the Segment 6 cost, but is due to the increase in the underground utilities that the Town did not include the match for. The overflow culvert did not have a figure until it had been designed and these are long range projects that need to be done before Segment 6 can be done. There has always been the plan to do these projects; however, the Town now has the figures. Bernie Carr questioned if this also includes the inflation rate. Richard Baker advised that Segment 6 was originally passed in 2006 because the project was supposed to start in 2008 and there has been \$4.2 million spent; however there has not been much inflation. Ethan Swift stated there was a small match for the last ASR design. Mr. Carr asked if Park Street is still being considered for the end of the Segment 6 project. Mr. Bailey stated there is not an exact plan for Park Street, but it may be possible to roll some of the local options tax funds in another year for this project. Mr. Atherton stated there is some Segment 6 work that will be done on Park Street and the Town has been looking at options as a "Green Streets" approach, as there is money available for those types of projects.

**The motion passed unanimously.**

Dave Atherton will be providing the Select Board more information on what to do next relating to the bond.

## **6. Budget**

Doug Bailey reported he met with the Town Manager to discuss the budget based on the bonding. The highlights of the changes include the addition of a \$20,000.00 bond payment, and removal of \$5,000.00 from Public Works for paved road patching; other than that the numbers are the same from last Monday night's meeting. With those changes, the expenses have a 1.4% increase and the increase of money to be raised by taxes is up 2.1% from last year's budget. Last year, the town appropriations were \$130,000.00 and this year there is one appropriation for \$100,250.00 being proposed that would finish paving 12 roads (Union, Champlain, East and West Seminary, North and East Prospect, Carver, Pearl, Corona, Church, Rossiter, and River Streets) as part of the Water District bond work that will be done this construction season. This is a really good deal on the paving with a big reduction due to oil prices, as well as the fact the paving company will be doing work in the area. If this paving was done separately, it would likely cost double. Mr. Atherton stated the Town is looking at doing the complete streets to have a complete product at the end. The Town saw the opportunity to

collaborate with the Fire District and Mr. Burlett sees the importance of getting the projects completed and has been doing what he can to make this happen.

Ethan Swift stated there have been several deliberations over the budget, committee workshops and assistance from the departments to develop a realistic budget. Mr. Swift thanked the individuals who have worked to develop a budget with a reasonable increase over last year. Doug Bailey stated there were eight budget meetings and this is not a document that was thrown together. There was a lot of give and take and Mr. Bailey finds this budget process to be a better one from the last and the percentages are good for what will be done. Mr. Atherton stated there was a question of how often the document gets used and he advised that this is viewed daily.

Seth Hopkins stated the budget has been increased a net of \$15,000.00 and he thinks it is a responsible budget, but it is incumbent of the Board to trim wherever possible. Mr. Hopkins proposed reducing \$5,000.00 from the Police Department's budget line for funding the future purchase of a police cruiser. There have been three vehicles purchased this year to catch up and it is not expected to purchase another cruiser this year or next. This would equate to a 1.22% increase and the amount to be raised by taxes would be 1.90%. Devon Fuller did not agree with building a budget on percentages, rather what is necessary to run the town. He noted the Town has come to a point where it can put money aside for cruisers, rather than going to the voters to request a larger amount to keep the police department in vehicles that are needed. The Board is being wise with the taxpayers' money. There is a budget committee and a project tracker report and the process has grown into a great process. Mr. Fuller does not believe in choosing an arbitrary number to come under 2%. Mr. Atherton stated the wastewater treatment plant was built in the 1950's and there has never been anything saved for upgrades and the Town is now having engineers from UVM looking at what will be needed for upgrades. Regarding the police cruisers, the Town received a grant to purchase the cruisers this year and it is the Town's responsibility to have funds available when additional cruisers are needed. This line item went from \$49,000.00 to \$15,000.00 this year. Ethan Swift stated there is a very deliberate and thoughtful budget making process and in the past there have been arbitrary decisions made that were not based on the needs. Mr. Swift feels that making a change at the 11<sup>th</sup> hour would be an injustice to the process and he does not think it is a proper time to rehash the budget again. Seth Hopkins stated it was not his intent to circumvent the budget making process and does not have a problem with the budget. Mr. Fuller stated the voters that he has talked to are very pleased with the potential budget and he thinks that all people involved in the budget process have worked hard to get the budget to where it is. Mr. Fuller would be proud to talk about this budget as it is far above what has been done in the last 10 years in this town.

**Motion** by Devon Fuller/Seth Hopkins to approve an FY16/17 budget to be raised by taxes in the amount of \$2,486,822.00. **The motion passed unanimously.**

## 7. Town Farm Fund

Dave Atherton stated there is a list of restricted and committed funds that the town has. There is a Town Farm Fund that can be used for sidewalks and there is consideration to taking \$18,000.00 from this fund to complete the Maple/Union Street Sidewalk project to avoid having to return funds to the state. This would require voter approval at town meeting and Mr. Atherton questioned if the Board wished to move forward with this option. Doug Bailey stated the Maple/Union Street Sidewalk project is from 10 years ago and there was a grant accepted and \$70,000.00 has been used. It is the intent to work towards to total completion of the project and Daryl Burlett is working on other funding for the project.

**Motion** by Seth Hopkins/Devon Fuller to vote an article from the floor on town meeting to use \$18,000.00 from the Town Farm Fund for the Maple/Union Street Sidewalk project; if voting the article from the floor is not possible it is recommended to include this article on the ballot. **The motion passed unanimously.**

Doug Bailey stated one other project on the project tracker is the Wheeler Road bridge that had \$24,000.00 approved by the voters for the design work. It is recommended to ask the voters to reassign those funds from that project to finish the culvert on Woods Lane. Ethan Swift stated there will also be an additional \$10,000.00 needed to complete that project as \$24,000.00 will not complete the culvert project. Dave Atherton stated this is in the budget and the match for the Wood Lane culvert will be \$45,000.00. Mr. Bailey stated these projects have been on the Project Tracker report and the Town is working diligently to get the money to complete them. The Churchill Bridge project will have to be done at some point, but it is not known what the total amount of the project will be. Mr. Atherton advised other options are being considered for the bridge, but it is another project that will have to be completed or the state will want the funds returned.

**Motion** by Ethan Swift/Devon Fuller to place an item on the ballot in the amount of \$24k to reallocate the appropriation from the Wheeler Road Bridge Design Project to the Public Works Department for the Structures grant match. **The motion passed unanimously.**

## 8. FEMA Projects/Segment 6/Bridge 114/Overflow Culvert

Dave Atherton reported work continues on the Segment 6 rights of ways. There is a conference call on Wednesday to discuss meeting with the utility companies to start the utilities next fall.

The Town has received prints from Scott Robertson for the Bridge 114 rail. There was discussion regarding the approach rails for 4 Conant Square and it is thought that it can be terminated where the building starts. The concern with the rails is because of traffic coming off of Seminary Street. The only other item will be where to put the lights and it will then have to go for historic review. The Section 106 Review done by Historic Preservation is required. CLD had someone look at options for doing soil remediation

and in speaking with Scott Robertson and Daryl Burlett, it is not thought that this is effective due to the installation of the membrane. The soil remediation would be \$180,000.00 to do and this is the current scope of work. Decisions on this should be finalized soon. All stone will have to be repointed and some stone that had eroded will be repaired.

The final numbers for the design of the overflow culvert has been received. There will be a meeting on Thursday at 10AM.

Mr. Atherton requested the Board make a motion for the paving project appropriation.

**Motion** by Devon Fuller/Tracy Wyman to add an appropriation to the ballot not to exceed \$100,250.00 for paving in collaboration with the Fire District project and roll any left over funding into other Public Works projects. **The motion passed unanimously.**

## **9. Town Office Project**

Dave Atherton reported this project is moving forward and is looking great. Devon Fuller visited the building today and reported the dry wall is supposed to be finished this week. They are waiting for the electrical inspector to visit this week. The roof is also complete.

## **10. Fiscal**

### ***a) General Fund Warrant – January 11, 2016 - \$203,609.26***

**Motion** by Devon Fuller/Tracy Wyman to approve the General Fund warrant of January 11, 2016 in the amount of \$203,609.26. **The motion passed unanimously.**

### ***c) Wastewater Fund Warrant – January 11, 2016 - \$10,940.88***

**Motion** by Devon Fuller/Ethan Swift to approve the Wastewater Fund warrant of January 11, 2016 in the amount of \$10,940.88. **The motion passed unanimously.**

**Motion** by Ethan Swift/Devon Fuller to recess the Select Board meeting and convene as the Board of Sewer Commissioners at 8:27PM. **The motion passed unanimously.**

The Select Board reconvened at 8:39PM.

**Motion** by Devon Fuller/Seth Hopkins to enter into executive session at 8:45PM for the purpose of discussing the appointment or employment or evaluation of a public officer or employee pursuant to Title 1, Section 313(a)(3) of the Vermont Statutes to include the Town Manager and the Chief of Police. **The motion passed unanimously.**

## 11. Executive Session

**Motion** by Devon Fuller/Tracy Wyman to come out of executive session at 8:59PM. **The motion passed unanimously.** There was no action required.

**Motion** by Devon Fuller/Ethan Swift to enter into executive session at 9:00PM for the purpose of discussing the appointment or employment or evaluation of a public officer or employee pursuant to Title 1, Section 313(a)(3) of the Vermont Statutes. **The motion passed unanimously.**

## 12. Executive Session

**Motion** by Devon Fuller/Ethan Swift to come out of executive session at 9:10PM. **The motion passed unanimously.** There was no action required.

## 13. Adjournment

**Motion** by Devon Fuller/Tracy Wyman to adjourn the Select Board meeting at 9:11PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant  
Recording Secretary